

BAS DE BLANK (State Bar No. 191487)
basdeblank@orrick.com
SIDDHARTHA VENKATESAN (State Bar No. 245008)
svenkatesan@orrick.com
LILLIAN MAO (State Bar No. 267410)
lmao@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, California 94025
Telephone: (650) 614-7400
Facsimile: (650) 614-7401

Attorneys for Plaintiff
ROBERT BOSCH HEALTHCARE SYSTEMS, INC.

DANIEL W. MCDONALD (*Pro Hac Vice*)
dmcdonald@merchantgould.com
WILLIAM D. SCHULTZ (*Pro Hac Vice*)
wschultz@merchantgould.com
MERCHANT GOULD P.C.
3200 IDS Center
80 South 8th Street
Minneapolis, MN 55402
Telephone: (612) 332-5300
Facsimile: (612) 332-9081

Attorneys for Defendant
CARDIOCOM, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ROBERT BOSCH HEALTHCARE
SYSTEMS, INC.,

Plaintiff,

v.

CARDIOCOM, LLC and ABBOTT
DIABETES CARE, INC.,

Defendants.

Case No. 14-cv-01575 EMC

**JOINT SUPPLEMENTAL CASE
MANAGEMENT STATEMENT AND
[PROPOSED] ORDER**

Date: February 19, 2015
Time: 9:30 A.M.
Dept: 5
Judge: Edward M. Chen

Pursuant the Court's November 20, 2014 Minute Order (Dkt. No. 151), Plaintiff Robert Bosch Healthcare Systems, Inc. ("Bosch") and Defendant Cardiocom, LLC ("Cardiocom") hereby supplement their previous joint case management statements (Dkt. Nos. 140, 150) with the current status of the post-grant review proceedings relevant to the Patents-in-Suit:

IPR / Reexam Case No.	Patent No.	Claims Challenged	Status
IPR2013-00468 & IPR2013-00469 (merged)	7,516,192	1-37 (all claims)	Final decision issued Jan. 27, 2015. All challenged claims cancelled. Last day to file Notice of Appeal is Mar. 31, 2015.
90/013,269	7,516,192	1-10, 13-19, 37	Non-Final Office Action mailed Oct. 3, 2014. Response filed Dec. 3, 2014. Awaiting Office Action.
IPR2013-00449	7,840,420	1-5 (all claims)	Final decision issued Jan. 15, 2015. All challenged claims cancelled. Last day to file Notice of Appeal is Mar. 19, 2015.
90/013,270	7,840,420	1-5 (all claims)	Non-Final Office Action mailed on Nov. 21, 2014. Response filed Jan. 21, 2015. Awaiting Office Action.
IPR2013-00431	7,921,186	1-16 (all claims)	Final decision issued Jan. 15, 2015. All challenged claims cancelled. Last day to file Notice of Appeal is Mar. 19, 2015.
90/013,263	7,921,186	1-8	Non-Final Office Action mailed Oct. 22, 2014. Response filed on Dec. 22, 2014. Awaiting Office Action.
IPR2013-00451	7,587,469	1, 2, 5-10	Final decision issued Jan. 15, 2015. All challenged claims cancelled. Last day to file Notice of Appeal is Mar. 19, 2015.
90/013,175	7,587,469	1-22 (all claims)	Non-Final Office Action mailed Nov. 21, 2014. Response filed Jan. 21, 2015. Awaiting Office Action.
IPR2014-00488	7,769,605	1-9 (all claims)	IPR Instituted on all claims Sept. 2014. Oral argument to be held on Apr. 23, 2015. Bosch's Motion to Terminate is pending. The Board to submit final decision by Sept. 11, 2015.
90/013,167	7,769,605	1-9 (all claims)	Non-Final Office Action mailed Sept. 26, 2014. Response filed Nov. 26, 2015. Awaiting Office Action.
IPR2014-00607	7,870,249	1, 2, 6-8, 11-13	IPR Instituted on all claims Sept. 2014 (merged with 2014-00691) Oral Argument to be held on April 23, 2015. Bosch's Motion to Terminate is

IPR / Reexam Case No.	Patent No.	Claims Challenged	Status
			pending. The Board to submit final decision by Sept. 11, 2015.
IPR2014-00691	7,870,249	3-5, 9, 10, 14-29	IPR Instituted Sept. 2014 Oral Argument to be held on April 23, 2015. Bosch's Motion to Terminate is pending. The Board to submit final decision by Sept. 11, 2015.
90/013,262	7,870,249	14-18, 20-21, 23-26	Non-Final Office Action mailed Sep. 24, 2014. Response filed Nov. 24, 2014. Awaiting Office Action.

In light of the Final Decisions issued by the Board, the potential for Bosch to appeal one or more of those Decisions, and Bosch's pending motions to terminate in the two IPRs currently before the Board (IPR2014-00488 and IPR2014-00607), the parties do not believe the Case Management Conference, scheduled for February 19, 2015, will be necessary at this time and Bosch will not seek to lift the stay in place in this litigation until the PTAB's conclusion of the two pending IPRs. Therefore, the parties respectfully request that the Court take the Case Management Conference off the calendar and allow the parties to file another supplemental status report with the Court within fourteen (14) days of the conclusion of the two IPRs currently pending before the Board and, in that report, the parties can set forth their position with respect to the stay.

1 Dated: February 12, 2015

Respectfully submitted,

2 By: /s/ Bas de Blank

3 Bas de Blank, Bar No. 267410

basdeblank@orrick.com

4 ORRICK, HERRINGTON & SUTCLIFFE LLP

1000 Marsh Road

5 Menlo Park, California 94025

Telephone: (650) 614-7400

6 Facsimile: (650) 614-7401

7 Attorneys for Plaintiff

8 ROBERT BOSCH HEALTHCARE SYSTEMS, INC.

9 Dated: February 12, 2015

10 By: /s/ William D. Schultz w/ permission Bas de Blank

11 William D. Schultz

wschultz@merchantgould.com

12 MERCHANT & GOULD P.C.

3200 ids Center

13 80 S. Eighth Street

Minneapolis, MN 55402-2215

14 Telephone: (612) 336-4637

Facsimile: (612) 332-9081

15 Attorneys for Defendant

16 CARDIOCOM, LLC

17 **CASE MANAGEMENT ORDER**

18 The above JOINT CASE MANAGEMENT STATEMENT & PROPOSED ORDER is

19 approved as the Case Management Order for this case and all parties shall comply with its

20 provisions. [In addition, the Court makes the further orders stated below:] The further CMC

21 is rescheduled from 2/19/15 to 5/28/15 at 10:30 a.m. An updated joint CMC statement

22 shall be filed by 5/21/15.

23 IT IS SO ORDERED.

24 Dated:

